

REMARKS

This is a Response to the Office Action mailed October 17, 2005, in which a two (2) month Shortened Statutory Period for Response has been set, due to expire December 17, 2005. Claim 7 is currently amended. Claims 12-22 are canceled. New claims 23-31 have been added pursuant to 37 CFR 1.121 as provided under MPEP §821.04. No new matter has been added to the application. No fee for additional claims is due by way of this Amendment. Upon entry of the amendments herewith, claims 1-7, 10-11 and 23-31 are pending.

1. Election/Restrictions

The Office Action, at paragraphs 1-8, the Examiner requires restriction of the claims. The Office Action divides claims 1-7, 10-11, 12-16, and 17-22 into three distinct inventions and suggests that claims 12-22 should be non-elected from the present application. Applicant elects without traverse to prosecute the invention of Group I, claims 1-7 and 10-11.

In view of the above election, Applicant hereby cancels claims 12-22 without prejudice, waiver, or disclaimer. Furthermore, Applicant's canceling of claims 12-22 is not made in response to rejections or objections raised by the Office Action based upon cited art. Applicant takes this action merely to reduce the number of disputed issues and to facilitate early allowance of the claims of the elected Group I. Applicant reserves the right to pursue the subject matter of these canceled claims 12-22 in a continuing application, a divisional application, and/or a continuation-in-part application if Applicant so chooses, and does not intend to dedicate any of the canceled subject matter to the public.

2. Objections to the Claims

At paragraph 9 of the Office Action, claim 7 was objected to because "it is unclear whether the inverter has been claimed." In response to the objection, claim 7 is amended herewith. Accordingly, Applicant respectfully requests withdrawal of the objection to claim 7.

3. Acknowledgement of Allowed Claims and Allowable Subject Matter

Applicant acknowledges the Examiner's allowance of claims 1-4, 6, and 10-11, as noted in paragraph 10 of the Office Action.

4. New Claims 23-31, Added Pursuant to 37 CFR 1.121 and MPEP §821.04

New claims 23-31 are directed to the process for making and/or using the product of the species elected in response to the Restriction of the present Office Action mailed on October 17, 2005. MPEP §821.04 indicates that "where the application as originally filed discloses the product and the process for making and/or using the product, and only claims directed to the product are presented for examination, when a product claim is found allowable, applicant may present claims directed to the process of making and/or using the patentable product by way of amendment pursuant to 37 CFR 1.121." Here, all originally filed claims were "product" claims. Newly added claims 22-31 are filed by way of amendment pursuant to 37 CFR 1.121.

Independent claim 1, and its dependent claims 2-7 and 10-11, have been allowed. The newly filed claims 23-31, directed to a process of using the patentable product, contain each and every limitation of their respective allowed product claim. For the convenience of the Examiner, the table below shows correspondence between the product claims and the process of using the patentable product claims.

<u>Apparatus Claim</u>	<u>Method Claim</u>
1	23
2	24
3	25
4	26
5	27
6	28
7	29
10	31
11	30

Since the newly added process claims 23-31 recite processes of using the patentable product claims 1-7 and 10-11, and since each newly added process claim contains each and every limitation of its respective product claim, no additional search on the part of the

Examiner is required for allowance of these process claims. Further, because the new process claims 23-31 are filed by way of amendment pursuant to 37 CFR 1.121, these process claims may be entered and allowed as provided by MPEP §821.04. Therefore, Applicant respectfully requests the Examiner to enter and allow the above new claims 23-31 directed to the process for making and/or using the patentable product as defined by the allowable product claims 1-7 and 10-11.

5. Clarification to Status of Claim 5

Applicant observes that claim 5 is presently pending and has been categorized as being a member of the elected Group I. However, claim 5 is neither specifically allowed nor rejected in the present Application. Since claim 5 depends upon allowable claim 1, Applicant assumes that claim 5 is allowable. However, Applicant requests clarification in the next Action.

6. Conclusion

The Director is authorized to charge any additional fees due by way of this Amendment, or credit any overpayment, to our Deposit Account No. 19-1090.

All of the claims remaining in the application are now clearly allowable. Favorable consideration and a Notice of Allowance are earnestly solicited.

Respectfully submitted,

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